

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

## **ORDER**

Before the court is the Recommendation of the Magistrate Judge. (Doc. # 24.) The parties did not file any objections to the recommendation's conclusion that the court properly exercises subject-matter jurisdiction over this action and that the motion to dismiss (Doc. # 13) is due to be denied. Based upon an independent review of the record, it is ORDERED that the Recommendation of the Magistrate Judge (Doc. # 24) is ADOPTED and that the motion to dismiss (Doc. # 13) is DENIED.

This action is REFERRED back to the Magistrate Judge pursuant to 28 U.S.C. § 636 for further proceedings and determination or recommendation as may be appropriate.

DONE this 29th day of January, 2019.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE